

FROM McANDREWS, HELD, & MALLOY

(FRI) 1. 7'05 13:24/ST.13:23/NO.4861050047 P 1

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FACSIMILE COVERSHEET

TO: **ISSUE FEE**
Examiner Imam, Ali M.
Application No. 10/064,085
Attorney Docket No. 15-DS-00564

Fax: **(703) 746-4000**

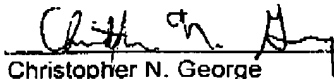
FROM: **Christopher N. George**
Fax: **312/775-8100**

DATE: **January 7, 2005**
Matter: **Our File No.: 1194-13231USP1**

No. pages sent
including cover page: **6**

MESSAGE:
Original documents will: ☒ **Not be sent**

I hereby certify that the attached Part B - Fee(s) Transmittal and Comments on Statement of Reasons for Allowance are being facsimile transmitted to the United States Patent and Trademark Office on January 7, 2005.


Christopher N. George

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FROM McANDREWS, HELD, & MALLOY

(FRI) 1. 7'05 13:24/ST. 13:23/NO. 4861050047 P 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Bjacrum et al.

Application No.: 10/064,085

Filed: June 10, 2002

For: ULTRASOUND DISPLAY OF
TISSUE, TRACKING AND
TAGGING

Examiner: Ali M. Imam

Group Art Unit: 3737

Attorney Docket No.: 15-DS-00564
(13231US01)

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (FAX No. (703) 746-4000) on January 7, 2005
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Signature

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Imam:

The Applicant respectfully requests that the following Comments on the reasons for allowance be added to the file.

REMARKS

Claims 1-22 are allowed. The Applicant appreciates the Examiners allowance of these claims and respectfully submits the following Comments on the Statement of Reasons for Allowance:

Application No. 10/064,085
Attorney Docket No. 15-DS-00564 (13231US01)

The Applicant respectfully submits that the Reasons for Allowance may potentially import interpretations into the claims in relation to the prior art that are unnecessarily limited and may place unwarranted interpretations upon the claims.

Such a characterization of the claims in view of the prior art may not properly take into account the Applicant's claimed invention as reflected in the claims, the specification and the prosecution history of the present application. Applicant believes that the claims, the specification, and the prosecution history in their entirety provide an adequate basis for the allowability of the claims.

Additionally, specific parts of the Examiner's reasons for allowance may pertain to limitations appearing in some of the claims, but not other claims. The Applicant respectfully submits that the Examiner has thoroughly examined the claims, recognized the limitations appearing or not appearing in each of the claims, and properly found the claims to be allowable based on the record.

For example, the present allowed claims include independent claims 1, 11, and 21. The Examiner recited in the reasons for allowance that the allowed claims include the limitation of generating a set of parameter signals representing displacement of anatomical locations corresponding to a first pattern of indicia, wherein the patterns of indicia comprise sets of tagging symbols. However, only independent claims 11 and 21, and not claim 1, include the generating limitation.

The Applicant respectfully submits that the other independent claim 1 was correctly distinguished from the prior art by the Examiner and is indeed allowable on

Application No. 10/064,085

Attorney Docket No. 15-DS-00564 (13231US01)

other grounds. Additionally, the Applicant respectfully submits that independent claims 11 and 21 have been distinguished from the prior art and are allowable on additional grounds as shown by the claims, the specification, and the prosecution history.

Application No. 10/064,085
Attorney Docket No. 15-DS-00564 (13231US01)

CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: January 7, 2005

Christopher N. George
Christopher N. George
Registration No. 51,728

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